REMARKS

Claims 13-15 and 19-33 are pending in the application. Of those, claim 20 has been canceled by the above amendment. New claim 34 is presented by the above amendment. New claim 34 presents the subject matter of canceled claim 20, but was rewritten to satisfy the rejection under 35 USC 101. Claims previously depending from claim 20 have been amended to depend from new claim 34.

Applicants acknowledge that claims 25, 26, 30 and 31 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 101 and 35 U.S.C. 112, 2nd paragraph, set forth in the pending Office action and to include all of the limitations of the base claim and any intervening claims. These claims have been rewritten in the proper for allowance.

Reconsideration of the rejection of claims 13-15, 19-24, and 27-29 under 35 U.S.C. 103(a) as being obvious over US Patent No. 6,842,808 to Weigl et al in view of US Patent No. 6,606,670 to Stoneking et al is respectfully requested.

Claims 13 and 34 are directed to a cycle-based communication system and method respectively for transmitting useful data between users of the system, including a data bus and the users connected to it, in which the data transmission is effected within cyclically repeating timeframes with at least two timeslots each, and each timeslot is intended for transmitting one message, one message contains at least some of the useful data, and each message is assigned an identifier, characterized in that the identifier is stored in each message as part of the message; that each message additionally includes data about the cycle; that the timeslots have a fixed length; and that at least one of the timeslots of one timeframe can be used, in various cycles, for offset transmission of different messages that are not intended for transmission in every cycle, wherein

the data about the cycle has either additional cycle data integrated with the identifier of each message, or a separate cycle counter integrated in each message, wherein each message is additionally assigned time data that pertain to a timeslot and that can be learned from the identifier, *and wherein messages transmitted over the communication system whose identifier does match a predetermined identifier but which are of no interest to the user according to the data about the cycle contained in the message, are prevented from being loaded into the user*.

Regarding the claim rejections under 35 USC 103 of pending claims 13 to 15, 19 to 24 and 27 to 29, Applicant comments: The Examiner is of the opinion that the subject matter of pending claim 13 is rendered obvious by a combination of Weigl et al and Stoneking et al. In particular, according to the Examiner's response to the arguments presented November 23, 2009, under paragraph 1 of the pending Office Action, the Examiner is of the opinion that the features newly introduced at the end of the independent claims 13 and 20, according to which messages transmitted over the communication system whose identifier matches a predetermined identifier, but which are of no interest to the user according to the data about the cycle contained in the message, are prevented from being loaded into the user, are disclosed in Weigl et al. However, Applicant finds the prior-art reference to Weigl et al does not disclosed or rendered obvious the aforementioned newly introduced features. In particular, it can be taken from the Examiner's response to our arguments in paragraph 1 of the pending Office Action that the question of whether messages are of interest to the user or not is determined based on transmission matrix entries (column 5, line 45 to column 7, line 20; Fig. 4) or depending on whether the messages are linked to a particular user or not (because a timing window of a transmission matrix is linked for exclusive components to a

CAN message (column 6, lines 1 to 18)). Hence, in Weigl et al the question of whether

messages are of interest to the user or not is certainly not determined according to the data

about the cycle contained in the message itself. Neither Weigl et al nor Stoneking et al

disclose or render obvious the additional feature newly introduced into the independent claim

13 and claim 20 (now new claim 34) according to which the messages contain data about the

cycle which is used for determining whether the messages are of interest to the user or not

and whether the messages are to be loaded into the user or not.

Weigl et al is deficient in disclosing the present invention as discussed above. Even if

one were to look to the teaching of Stoneking, the addition of Stoneking to Weigl et al does

not make up for the shortcomings of Weigl et al. Neither Weigl et al nor Stoneking disclose

or suggest when taken alone or combined the cycle-based communication system and method

for transmitting useful data between users of the system, including an identifier stored in each

message as part of the message, wherein the data about the cycle has either additional cycle

data integrated with the identifier of each message, or a separate cycle counter integrated in

each message, and wherein messages transmitted over the communication system whose

identifier matches a predetermined identifier but which are of no interest to the user according

to the data about the cycle contained in the message, are prevented from being loaded into the

user.

Neither Weigl et al nor Stoneking disclose or suggest when taken alone or combined

the cycle-based communication system and method for transmitting useful data between users

of the system wherein either a MUX bit is used to store data pertaining to the current cycle in

the message or a separate cycle counter is used to store data pertaining to the current cycle in the message.

Reconsideration of the rejection of claims 32 and 33 under 35 U.S.C. 103(a) as being obvious over Weigl et al in view of Stoneking et al and further in view of Willard et al (US 5,600,312) is respectfully requested.

Weigl et al and Stoneking et al fail to teach either a MUX bit is used to store data pertaining to the current cycle in the message or a separate cycle counter is used to store data pertaining to the current cycle in the message.

Willard et al is relied upon for a separate cycle counter being used to store data pertaining to the current cycle in the message.
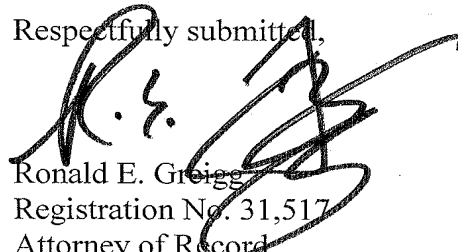
Even if one were to look to the teaching of Willard et al, the addition of Willard et al to Weigl et al and Stoneking et al does not make up for the shortcomings of thereof as discussed heretofore. None of Weigl et al, Stoneking et al, nor Willard et al disclose or suggest when taken alone or combined the cycle-based communication system and method for transmitting useful data between users of the system, including an identifier stored in each message as part of the message, wherein the data about the cycle has either additional cycle data integrated with the identifier of each message, or a separate cycle counter integrated in each message, and wherein messages transmitted over the communication system whose identifier matches a predetermined identifier but which are of no interest to the user according to the data about the cycle contained in the message, are prevented from being loaded into the user.

Accordingly, the invention is not rendered obvious under 35 USC 103(a) and

withdrawal of the rejection and allowance of the claims is respectfully requested.

Entry of the amendment is respectfully solicited.

Respectfully submitted,

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